

Amendment No. 2 to HB0003

Clemmons
Signature of Sponsor

AMEND Senate Bill No. 228

House Bill No. 3*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following new section:

(a) A student's gender for purposes of participation in a public middle school or high school interscholastic athletic activity or event may be determined by an LEA or public charter school by the student's sex at the time of the student's birth, as indicated on the student's original birth certificate. If an LEA or public charter school determines a student's gender in accordance with this subsection (a), and the birth certificate provided by a student does not appear to be the student's original birth certificate or does not indicate the student's sex upon birth, then the student must provide other evidence indicating the student's sex at the time of birth. The student or the student's parent or guardian must pay any costs associated with providing the evidence required under this subsection (a).

(b) The state board shall develop a model policy for student participation in public middle school or high school interscholastic athletic activities and events in accordance with subsection (a). A local board of education or public charter school governing body may adopt and enforce the state board's model policy.

(c) As used in this section:

(1) "High school" means a school in which any combination of grades nine through twelve (9-12) are taught; and

(2) "Middle school" means a school in which any combination of grades five through eight (5-8) are taught.

(d) This section does not apply to students in any grade kindergarten through four (K-4).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and shall apply to the 2021-2022 school year and each school year thereafter.